



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,541	05/25/2006	Nhut Xan Phung	SP10150P00050US	6446
32116 7590 09/21/2007 WOOD, PHILLIPS, KATZ, CLARK & MORTIMER 500 W. MADISON STREET SUITE 3800 CHICAGO, IL 60661			EXAMINER JACOB, AJITH	
			ART UNIT 2169	PAPER NUMBER
			MAIL DATE 09/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,541	Applicant(s) PHUNG, NHUT	
	Examiner Ajith Jacob	Art Unit 2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/05, 3/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The instant application having Application No. 10/560541 has a total of 36 claims pending in the application, there are 6 independent claims and 30 dependent claims, all of which are ready for examination by the examiner.

Oath/Declaration

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Fries et al. (US 6,460,029 B1).

For claim 1, Fries et al. teaches:

A method for searching a plurality of machine-readable information sources, said method comprising the steps of:

mapping a search string to a plurality of search terms, wherein each said search term relates to at least one of said plurality of information sources [logical search query generated from user entered text search query, column 2, lines 10-17];

indicating at least one information source that each said search term relates to [related term matching, column 11, lines 1-12];

Art Unit: 2169

and searching at least one indicated information source using selected ones of said search terms [search after related words are found, column 11, 41-48].

For claim 2, Fries et al. teaches:

The method of claim 1, comprising the further steps of receiving said initial search term from a user and providing a result of said search to said user [receiving search request and provide result, column 2, lines 3-17].

For claim 3, Fries et al. teaches:

The method of claim 2, wherein said step of indicating comprises one or more of the steps in the group of steps consisting of:

indicating to said user which of said plurality of information sources each of said search terms relates to [identify search goals, column 15, lines 21-34]; and

indicating to said user at least one vocabulary each said search term is included in, wherein each vocabulary relates to at least one of said information sources [match vocabulary, column 15, lines 21-34].

For claim 4, Fries et al. teaches:

The method of claim 3, comprising the further step of enabling said user to select and de-select ones of said plurality of information sources whereon said searching step is performed [user options to improve results, column 5, lines 30-43].

For claim 5, Fries et al. teaches:

The method of claim 3, comprising the further step of enabling said user to replace ones of said plurality of search terms with replacement search terms [provide suggestions to user, column 5, lines 44-63].

Art Unit: 2169

For claim 6, Fries et al. teaches:

The method of claim 3, comprising the further step of enabling said user to add further search terms to said plurality of search terms [modifying search query, column 19, lines 30-39].

For claim 7, Fries et al. teaches:

The method of claim 1, wherein each of said plurality of search terms is selected from a vocabulary of terms used in a related one of said plurality of information sources [vocabulary terms based on topic, column 15, lines 21-34].

For claim 8, Fries et al. teaches:

The method of claim 1, wherein said plurality of search terms are selected from a meta-vocabulary comprising a list of terms included in a plurality of vocabularies list of recent vocabulary terms, column 15, lines 21-34].

For claim 9, Fries et al. teaches:

The method of claim 1, wherein said plurality of information sources comprise medical databases.

For claim 10, Fries et al. teaches:

The method of claim 1, wherein said mapping step is performed once only for searching a particular search string [ability to search and store on first query, column 2, lines 3-9].

For claim 11, Fries et al. teaches:

The method of claim 1, wherein said search string comprises a plurality of terms and said step of mapping comprises the step of mapping each of said plurality of terms

Art Unit: 2169

to a plurality of synonyms [words in search step, using synonyms to match results, column 26, lines 30-45].

Claim 12 is an apparatus of claim 1. Fries et al. teaches the limitations of claim 1 for the reasons stated above.

Claim 13 is an apparatus of claim 2. Fries et al. teaches the limitations of claim 2 for the reasons stated above.

Claim 14 is an apparatus of claim 3. Fries et al. teaches the limitations of claim 3 for the reasons stated above.

Claim 15 is an apparatus of claim 4. Fries et al. teaches the limitations of claim 4 for the reasons stated above.

Claim 16 is an apparatus of claim 5. Fries et al. teaches the limitations of claim 5 for the reasons stated above.

Claim 17 is an apparatus of claim 6. Fries et al. teaches the limitations of claim 6 for the reasons stated above.

Claim 18 is an apparatus of claim 7. Fries et al. teaches the limitations of claim 7 for the reasons stated above.

Claim 19 is an apparatus of claim 8. Fries et al. teaches the limitations of claim 8 for the reasons stated above.

Claim 21 is an apparatus of claim 10. Fries et al. teaches the limitations of claim 10 for the reasons stated above.

Claim 22 is an apparatus of claim 11. Fries et al. teaches the limitations of claim 11 for the reasons stated above.

Claim 23 is a computer program of claim 1. Fries et al. teaches the limitations of claim 1 for the reasons stated above.

Claim 24 is a computer program of claim 2. Fries et al. teaches the limitations of claim 2 for the reasons stated above.

Claim 25 is a computer program of claim 3. Fries et al. teaches the limitations of claim 3 for the reasons stated above.

Claim 26 is a computer program claim 4. Fries et al. teaches the limitations of claim 4 for the reasons stated above.

Claim 27 is a computer program claim 5. Fries et al. teaches the limitations of claim 5 for the reasons stated above.

Claim 28 is an apparatus of claim 6. Fries et al. teaches the limitations of claim 6 for the reasons stated above.

Claim 29 is a computer program claim 7. Fries et al. teaches the limitations of claim 7 for the reasons stated above.

Claim 30 is a computer program claim 8. Fries et al. teaches the limitations of claim 8 for the reasons stated above.

Claim 32 is a computer program of claim 10. Fries et al. teaches the limitations of claim 10 for the reasons stated above.

Claim 33 is a computer program of claim 11. Fries et al. teaches the limitations of claim 11 for the reasons stated above.

Claim 34 is rejected for the same reasons as claim 1 because it is the same method claim without the output indication.

Art Unit: 2169

Claim 35 is rejected for the same reasons as claim 12 because it is the same apparatus claim without the output indication.

Claim 36 is rejected for the same reasons as claim 23 because it is the same computer program claim without the output indication.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fries et al. as set forth above against claims 1-3 above, and in view of Turtle et al. (US 5,418,948).

As per claim 1, Fries et al. teaches the searching of a user query and finding results [logical search query generated from user entered text search query, column 2, lines 10-17], but does not teach the use of a medical database for information sources.

Turtle et al. teaches the use of medical databases for searching [column 7, lines 28-34].

Fries et al. (US 6,460,029 B1) and Turtle et al. (US 5,418,948) are analogous art because they are from the same field of endeavor of search query result retrieval.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the searching method described by Fries et al. and add a medical database as taught by Turtle et al.

The motivation for doing so would be "to identify phrases in the search query" [column 3, lines 3-20] that pertain to the medical field.

Therefore, it would have been obvious to combine Fries et al. (US 6,460,029 B1) with Turtle et al. (US 5,418,948) for providing a medical database in the search process. Claim 20 is an apparatus of claim 9. Fries et al. modified by Turtle et al. teaches the limitations of claim 9 for the reasons stated above.

Claim 31 is a computer program claim 9. Fries et al. modified by Turtle et al. teaches the limitations of claim 9 for the reasons stated above.

Conclusion

The Examiner requests, in response to this Office action, that support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the Examiner in prosecuting the application.

When responding to this Office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajith Jacob whose telephone number is 571-270-1763. The examiner can normally be reached on M-F 7:30-5:00 EST, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on 571-272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/17/2007

us hal
SPE 2169

AJ
AJ
Patent Examiner

KBP